Remarks

Drawing objections

A set of formal drawings is attached to overcome the objections raised.

Claim objections

The phrase "to endpoints" has been amended to read "to other endpoints", although it is pointed out for the record that claim 1 would not prevent the signal from an endpoint being retransmitted back to its source.

Rejection under 35 USC Section 112

The phrase "the video output" has been amended to "a video output" at its first occurrence in each claim.

Applicants do not agree that "the degree" requires antecedent basis as it is not a claimed element. Nevertheless the phrase "a degree" has been substituted with the purpose of overcoming this rejection.

Rejection under 35 USC Section 102(b)

The examiner alleges that the features of determining, according to a predetermined function, whether a video signal is not to be re-transmitted at all or is to be transmitted in reduced bandwidth format, are disclosed by Krishnaswamy at Figure 19C and col. 129 line 55 to col. 130, line 12.

The figure in question discloses a relatively standard video conferencing architecture. The cited passage has been studied and describes standard video conferencing features. There is no suggestion of making a determination to not transmit, or to transmit in reduced bandwidth, the signal from any endpoint according to a predetermined function.

The features of dynamically controlling the output of an endpoint as a result of the determination of how that signal is to be re-transmitted, is alleged to be disclosed in a number of passages. It is not clear whether each passage is thought to disclose this aspect of the invention separately, or if the passages in combination are

thought to result in this disclosure. Accordingly, each such passage will be briefly summarized as to its relevance.

Column 26, lines 21-29: this passage suggests, in a broad discussion of future services in an ISP (not in a video conferencing system) that ISP services (of all types) should be customisable, customer managed and paid for on demand. Bandwidth should be available on demand to customers without pre-allocation. No mention is made of anything approaching the method of the invention.

Column 29, lines 26-43: this passage describes, in overview, a switchless packet network which is adaptable to many types of services. It is stated again that bandwidth is available on demand and only insofar as it is needed.

It is pointed out that the passages referred to above teach away from the invention in the sense that if unlimited bandwidth was available on demand as Krishnaswamy suggests, there would be no need at all to reduce bandwidth or turn off the output of individual conference participants.

Column 30, lines 39-63: this passage is part of a discussion of the "governing principles" for a network architecture, and discusses how capabilities of entities should be defined, grouped etc. It contains nothing which the Applicants can see to be of relevance to the claimed invention.

Column 46, line 54 to column 47, line 29: An ISP resource management model is defined beginning in column 44. The passage cited describes part of this model. Resources are requested from a resource manager by the processes which need them, and when the processes are complete, the resources release themselves back to the resource manager. This is a description of an operative model to which a software system may comply. It again has no teaching which the Applicants can understand as being relevant to the claimed invention.

Column 130, line 14 to column 135, line 19 extensively describes the operation of a video conferencing system, and the particular operations carried out by entities such as gatekeepers, MCUs, gateways and the like. There is one reference to the H225 control channel being used for bandwidth allocation (this occurs at call set up, normally). There is no disclosure or suggestion of dynamically controlling endpoints to switch them off or reduce their output bandwidth as a result of a determination that the signal is not to be retransmitted or is to be retransmitted at low bandwidth.

In summary, the applicants have not even found, in all of the passages relied on, anything other than (1) a description of a conventional videoconferencing system and (2) some rather vague guidance as to how ISPs might, in the views of Krishnaswamy et al., be usefully designed.

If this analysis sounds unhelpful, the applicants wish to assure the Examiner that it is not so intended. The Applicants have diligently tried to understand the relevance of Krishnaswamy to the claimed method, and have failed.

The claimed invention must have been described in the reference for 35 USC §102 to apply. It is not understood how a skilled person, reading Krishnaswamy, would consider this to describe the claimed invention in any sense.

If it is alleged that the "design principles" which Krishnaswamy sets out for designing an ISP and defining its capabilities, are considered to be sufficient motivation and guidance to enable a skilled person to modify the generic videoconferencing system of Fig. 19C and arrive at the invention, then it is respectfully submitted that the wrong standard of patentability is being applied.

The applicants can see nothing which is a videoconferencing method which determines whether or not (and to what degree) endpoint signals are to be re-transmitted, and controls the output of individual endpoints based on this determination, when Krishnaswamy is in fact silent on all of the steps.

For the same reasons, the subject matter of each of the other independent claims and each of the dependent claims, is considered at a minimum to share with claim 1 those features discussed above which are absent from Krishnaswamy.

Given the above, it is submitted that the claims are allowable, and further and favorable reconsideration is urged.

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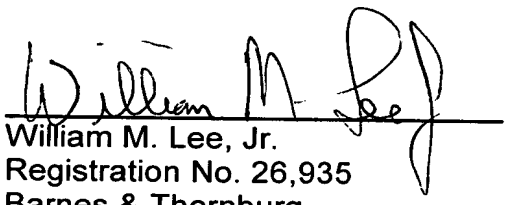
Respectfully submitted,



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